

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 5842
Economic Freedom Fund; Charles H.)
Bell, Jr.)

CERTIFICATION

I, Darlene Harris, recording secretary of the Federal Election Commission executive session, do hereby certify that on April 14, 2009, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-2, on an amended pre-meeting tally, to approve the following recommendations in MUR 5842:
 - a) Find reason to believe that Economic Freedom Fund violated 2 U.S.C. §§ 433, 434, 441a(f), and 441b(a) by failing to register as a political committee with the Commission, by failing to report contributions and expenditures, by knowingly accepting contributions in excess of \$5,000, and by knowingly accepting union contributions.
 - b) Take no action at this time as to Charles H. Bell, Jr.
 - c) Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated February 26, 2009.
 - d) Authorize the use of compulsory process with respect to all respondents and witnesses, including the issuance of appropriate interrogatories, document subpoenas, and deposition subpoenas, as necessary.
 - e) Approve the appropriate letters.

Commissioners Bauerly, Walther, and Weintraub voted affirmatively.

Commissioners Hunter and Petersen dissented. Commissioner McGahn II recused himself with respect to MUR 5842 and did not vote.

2. Decided by a vote of 4-0 to:

Close the file in MUR 5842.

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Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision. Commissioner Bauerly did not vote.

Commissioner McGahn II recused himself with respect to MUR 5842 and did not vote.

Attest:

April 16, 2009
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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